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ABSTRACT

This report to Congress covers the actions and accomplishments of the Department of Education Office for Civil Rights (OCR) for the period beginning October 1, 2000, and ending September 30, 2002. The first section, titled "Overview of OCR Compliance and Enforcement Program," looks at the Office's organizational structure, complaint resolutions, compliance reviews and other proactive initiatives, monitoring activities, and technical assistance. The next section, "Strategic Priorities," discusses OCR's activities in support of the No Child Left Behind Act, the Office's strategic plan and new statutory responsibilities, and two high-priority commission activities related to opportunities in athletics and the 50th anniversary of the Brown v. Board of Education decision. Specifically, it discusses programs for reading achievement, English language learning, promoting parental choice, creating safer schools, and encouraging accountability. The next section, "Other Efforts to Enforce the Civil Rights Laws," addresses OCR regulatory and policy guidance, the Magnet Schools Assistance program, equal opportunity in vocational education, higher education agreements, examples of OCR case resolutions, and enforcement action. The final two sections are titled "Measuring OCR's Work" and "Looking to the Future." Appended are compliance receipts by OCR enforcement offices and contact information. (WFA)

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U.S. Department of Education Office for Civil Rights: Annual Report to Congress.

Fiscal Years 2001 and 2002.

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U.S. Department of Education
Office for Civil Rights

Annual Report to Congress

Fiscal Years 2001 and 2002

EA 032745

U.S. Department of Education
Rod Paige
Secretary

Office for Civil Rights
Gerald A. Reynolds
Assistant Secretary

July 2003

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U.S. Department of Education
Office for Civil Rights

Annual Report to Congress

Fiscal Years 2001 and 2002

July 2003

Mission:

Ensuring equal access to education and promoting educational excellence throughout the nation through vigorous enforcement of civil rights.

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Foreword

The Department of Education's Office for Civil Rights (OCR) is a law enforcement agency charged with protecting fundamental rights conferred in statutes that charge the federal government with the obligation to ensure that public monies do not support discrimination.

President George W. Bush announced to the nation, on his third day in office, that education was his highest domestic priority. With strong bipartisan cooperation, the 107th Congress enacted the president's education agenda, which centers on accountability for results, local control and flexibility, expanded parental options and doing what works to improve student performance. The No Child Left Behind Act (NCLB Act) is the most comprehensive reform of federal education programs in more than three decades. Signed into law by the president on January 8, 2002, the NCLB Act contains specific provisions to ensure that all children will have access to a high-quality education regardless of race, ethnicity, sex, disability or socio-economic status. The NCLB Act embodies four key principles—stronger accountability for results; greater flexibility for states, school districts, and schools in the use of federal funds; more choices for parents; and an emphasis on teaching methods that have been demonstrated to work. The Act also places an increased emphasis on reading, especially for young children, enhancing the quality of our nation's teachers, and ensuring that all children in American schools learn English.

> "Now our challenge is to make sure that every child has a fair chance to succeed in life. That is why education is the great civil rights issue of our time."
>
> *President George W. Bush*
> *Radio Address to the Nation*
> *January 19, 2002*

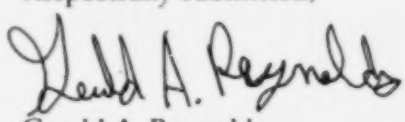
This landmark legislation starts a new and exciting era in education, with firm commitment to the bold proposition that all children can learn. No longer will expectations vary on the basis of a child's race, ethnicity, sex, disability or socio-economic status. The NCLB Act insists on high standards for all children and the ending of what the president calls the "soft bigotry of low expectations" for children who face special challenges or who are not performing satisfactorily in the educational process.

The challenge now is to align fair, effective and efficient enforcement of the civil rights laws with the implementation of the new education reform legislation so they are working hand-in-hand to prevent, identify and remedy discrimination.

This report covers the period from October 1, 2000 to September 30, 2002. The accomplishments that are described are another reminder of the importance of the OCR compliance and enforcement program—a program that can help provide opportunity for all of America's children to receive a world-class education.

I look forward to working with Congress to ensure that no child is left behind.

Respectfully submitted,



Gerald A. Reynolds
Assistant Secretary for Civil Rights

Overview of OCR Compliance and Enforcement Program

The Office for Civil Rights (OCR) in the U.S. Department of Education (ED) is responsible for enforcing five federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age by recipients of federal financial assistance. These laws are:

- Title VI of the Civil Rights Act of 1964 (prohibiting discrimination based on race, color and national origin);
- Title IX of the Education Amendments of 1972 (prohibiting sex discrimination in education programs);
- Section 504 of the Rehabilitation Act of 1973 (prohibiting disability discrimination);
- The Age Discrimination Act of 1975 (prohibiting age discrimination); and
- Title II of the Americans with Disabilities Act of 1990 (prohibiting disability discrimination by public entities, e.g., public elementary and secondary school systems, postsecondary schools, and vocational education programs, whether or not they receive federal financial assistance).

In addition, as of January 8, 2002, OCR enforces the Boy Scouts of America Equal Access Act. Under the Act, no public elementary school, public secondary school, or state or local education agency that provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities before or after school hours shall deny equal access or a fair opportunity to meet, or discriminate against, any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society.

These civil rights laws represent a national commitment to end discrimination in education programs. Since most educational institutions receive some type of federal financial assistance, these laws apply throughout the nation.

Coverage of these civil rights laws extends to:

- 14,859 school districts; [1]
- 4,182 colleges and universities; [2]
- 5,076 institutions conferring certificates below the associate degree level, such as training schools for truck drivers and cosmetologists;[3] and
- thousands of other entities, such as libraries, museums, and vocational rehabilitation agencies.

Consequently, these civil rights laws protect millions of students attending, or applying to attend, our educational institutions. In certain situations, the laws also protect persons who are employed or seeking employment at educational institutions. Overall, these laws protect:

- nearly 53.6 million students attending elementary and secondary schools; and
- nearly 15.6 million students attending colleges and universities.[4]

Enforcing these laws is critical to carrying out the mission of the U.S. Department of Education — ensuring equal access to education and promoting educational excellence throughout the nation.

In FY 2001, OCR's budget was $75,822,000, with full time equivalent (FTE) staff of 696. In FY 2002, the budget was $79,666,000, with FTE staff of 698. See Figure 1 on historical funding and FTE.

U.S. Department of Education, Office for Civil Rights
Appropriations, FTE & Workload Data
FY 1989 – FY 2002

FY	Presidenial Request	Congressional Appropriation	FTE	Complaints		Compliance Reviews	
				Filed	Resolved†	Initiated	Resolved†
2002	$79,934,000	$79,666,000*	698	5,019	4,842	11	18
2001	$76,000,000	$75,822,000	696	4,571	4,777	21	43
2000	$73,262,000	$71,200,000	712	4,897	6,364	47	71
1999	$68,000,000	$66,000,000	727	6,628††	5,369	76	93
1998	$61,500,000	$61,500,000	685	4,847	4,753	102	100
1997	$60,000,000	$54,900,000	681	5,296	4,981	152	140
1996	$62,784,000	$55,277,000	744	4,828	4,886	146	173
1995	$61,457,000	$58,236,000	788	4,981	5,559	96	178
1994	$56,570,000	$56,570,000	821	5,302	5,751	144	90
1993	$61,400,000	$56,402,000	854	5,090	4,484	101	82
1992	$56,000,000	$53,625,000	848	4,432	4,180	77	50
1991	$49,900,000	$48,404,000	797	3,809	3,497	41	22
1990	$45,178,000	$44,572,000	815	3,384	3,130	32	30
1989	$41,341,000	$41,635,000**	789	2,780	2,557	138	178

* Reflects the rescission reduction amount of $268,000.
** Includes a $790,000 supplemental appropriation.
† Includes cases carried over from previous years.
†† 1,614 filed by a single complainant.

Figure 1

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Organizational Structure

> "We must not rest until all children, no matter their race or ethnicity, no matter whether they live in an urban, suburban or rural school district, no matter whether or not they have a disability, have access to a high-quality education."
>
> *Rod Paige*
> *Secretary of Education*
> *September 6, 2002*

OCR is composed of a headquarters office, located in Washington, D.C., which provides overall leadership, policy development and coordination of enforcement activities, and 12 enforcement offices around the nation. The majority of OCR's staff are located in the enforcement offices, which are in Boston, New York, Philadelphia, Washington, D.C., Atlanta, Dallas, Cleveland, Chicago, Kansas City, Denver, San Francisco, and Seattle. These enforcement offices are organized into 4 divisions (Eastern, Southern, Midwestern and Western) that work to prevent, identify and remedy discrimination against our nation's students.

Complaint Resolutions

One important way OCR carries out its responsibilities is by resolving complaints. Persons who believe there has been a violation of the civil rights laws enforced by OCR may file complaints with the appropriate enforcement office. The process provides a forum for resolution of complaints of discrimination against individuals protected by the civil rights laws.

OCR's primary objective is to resolve the complainant's allegations of discrimination promptly, fairly and appropriately. In FY 2001, OCR received 4,571 complaints (a decrease of 6.6 percent from FY 2000 receipts) and resolved 4,777, some of which had been filed in previous years. In FY 2002, OCR received 5,019 complaints (an increase of 9.8 percent over FY 2001) and resolved 4,842, including carry-over complaints. Figure 2 shows the percentage of complaint receipts by jurisdiction.

OCR uses a variety of techniques to resolve complaints, ranging from facilitating voluntary resolutions between parties to negotiating agreements with recipients for voluntary compliance. If these methods fail, OCR issues violation letters and enters into negotiations to correct those violations. It is only after OCR has advised recipients of their failure to comply with the civil rights laws and has determined that compliance cannot be secured by voluntary means that, as a last resort, OCR seeks compliance through the administrative hearing process or refers cases to the U.S. Department of Justice. This flexible approach allows OCR to:

- provide timely and effective intervention at the beginning of the complaint process;
- focus on achieving positive change; and
- make students, parents and school officials central to the resolution of complaints.

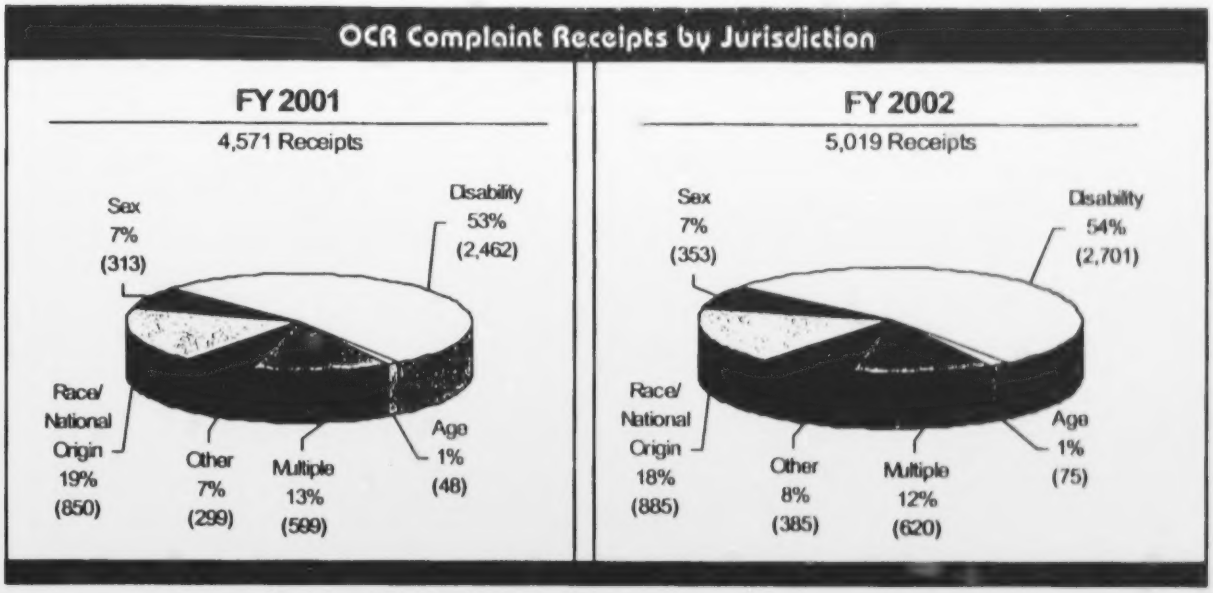

Figure 2

Appendix A shows FYs 2001 and 2002 complaint receipts by OCR enforcement offices, and Appendix B lists the contact information for each enforcement office.

Compliance Reviews and Other Proactive Initiatives

In addition to resolving complaints, OCR initiates compliance reviews and takes other proactive steps to focus on specific compliance problems that are particularly acute or national in scope. Targeted compliance reviews and proactive initiatives maximize the impact of OCR's resources and complement the complaint resolution process. Experience indicates that these strategic activities benefit large numbers of students through policy or program changes by recipients that are designed to ensure compliance with the civil rights laws.

OCR initiated 21 compliance reviews in FY 2001 and brought 43 reviews to successful resolution, some of which had been started in previous years. In FY 2002, OCR initiated 11 compliance reviews and resolved 18. Compliance review sites are selected based on various sources of information, including survey data and information provided by parents, education groups, media, community organizations and the public. In FYs 2001 and 2002, OCR conducted compliance reviews on the following issues:

- ensuring that English language learners are afforded access to alternative language services in order to benefit from a school district's educational program;
- ensuring that students are not subject to a sexually hostile environment;
- ensuring that students with disabilities receive a free appropriate public education; and
- ensuring access to gifted and talented programs by minority students.

Monitoring

OCR continues to focus on the monitoring of complaint and compliance review resolution agreements to maximize OCR's effectiveness in enforcing the civil rights laws. OCR monitors resolution agreements' implementation to ensure that the commitments made in these agreements are carried out.

OCR conducted 2,234 monitoring activities in FY 2001 and 2,343 in FY 2002. The following examples show OCR's impact on both individual students and groups of students when schools and colleges carried out their resolution agreement commitments.

- Half of the African American students who were enrolled in one high school transferred out after such incidents as racially motivated physical assaults and taunting. Latino, Hmong and white students who supported the rights of minority students also were victims of attacks. After the district implemented the OCR-negotiated resolution agreement, the racial climate improved dramatically. The district made changes in responding to racial incidents and provided full-time staff to address student and community relations. The African American enrollment is now back at the level it was before the complaint was filed with OCR.

- A student with disabilities was segregated in a trailer with an aide and received no instruction from a teacher during the school day. As required by the district's agreement with OCR, the student was re-evaluated, placed in a classroom with a qualified teacher and provided compensatory education services.

> "Without a doubt the most valuable aspect of this case has been our daughter's education...that there are people and government agencies to which she can turn...The response of your office has made a world of difference for [the student] in helping her to feel that she is a person of some significance deserving of respect and consideration."
>
> *December 19, 2000, letter from the parent of a high school student*

- The largest school district in a state had less than 10 trained teachers to provide services to about 3,000 English language learners. To comply with a resolution agreement it had entered into with OCR, the district hired and trained more than 150 teachers for its English as a Second Language program.

- A school district has reduced the mislabeling of minority students in special education classes as a result of more consistent use of intervention strategies to help students remain in the regular classroom. The district's agreement with OCR resulted in all elementary schools adopting a reading program, a pre-kindergarten

program to address deficiencies in language development, cognitive and psychomotor skills, and a program to help parents prepare children under age three for school success. Children who completed the program were less likely to be referred for special education evaluation.

- Teachers are no longer assigned by a school district on the basis of the racial composition of schools. A combination of hiring, attrition and transfer decisions resulted in no school being racially identifiable by the composition of its teaching staff.

- Mobility-impaired students now have access to educational programs and services at a major university. The university relocated certain academic programs, constructed new buildings and ramps, renovated bathrooms, installed elevators and lifts, lowered or replaced water fountains, provided parking spaces and posted appropriate signage.

- OCR's monitoring of a district's alternative language program found former English language learners performing better than students whose primary home language is English on standardized achievement tests. Students who were previously enrolled in the district's alternative language program ranked 1, 2, and 5 in their 2001 high school graduating classes.

- A university that had not provided equal athletic opportunities to female students took a number of steps aimed at removing barriers to participation in intercollegiate athletics. In carrying out its resolution agreement with OCR, the university hired several highly experienced individuals to coach women's teams and upgraded several women's coaching positions to full-time status. The rosters of several women's teams were expanded, and the women's ice hockey club team was elevated to varsity status. In its inaugural season, the team won its conference championship and qualified for the "Frozen Four" national championship. These actions brought about a 30 percent increase in women's athletic participation without eliminating any men's intercollegiate athletic teams.

> "OCR was extremely professional and fair in every aspect of the investigation. Throughout a great deal of media coverage and hostility ... the investigative team remained focused upon bringing these issues to a fair resolution. Every member of this team exhibited a dedication to high standards and ethics and a resolve to protect the civil rights of some of our most vulnerable citizens...The performance of these individuals renewed my faith in America and the strength of our Constitution. It is very gratifying to know that we live in a country where even the most vulnerable of our citizens is protected from discrimination and prejudice."
>
> *October 20, 2000, letter from complainant after OCR completed case monitoring activities*

- A student with Down syndrome was excluded from the school band because of communication problems regarding band activities. With notice now given to his parents about scheduled activities, the student has become an active school band member.

- A student with Attention Deficit Hyperactivity Disorder was excluded from the National Junior Honor Society because of his disability. The district later inducted the student, and he is now an active member of the honor society.

Technical Assistance

Putting an end to discrimination includes preventing it before it starts. To do this, OCR provides information and other support services—known as technical assistance—to schools and colleges, as well as to community, student and parent groups. Assistance to educational institutions helps them comply with federal civil rights requirements, while assistance to parents, students and others informs them of their rights under law. OCR provides technical assistance through a variety of methods, including onsite consultations, conferences, training, community meetings and publishing and disseminating materials.

OCR coordinated and/or participated in a number of conferences during FYs 2001 and 2002. For example, OCR staff conducted a series of technical assistance presentations for classes of student teachers attending Delaware State University to increase their awareness and understanding of federal education civil rights laws. Another example was a workshop entitled "No Limited English Proficient (LEP) Students Left Behind," sponsored by the Oklahoma State Department of Education for superintendents, administrators, and elementary and secondary teachers responsible for the provision of services to LEP students. OCR staff made presentations to approximately 300 school personnel from school districts across the state on local education agencies' legal obligation to provide services for LEP students. Along with the Louisiana State Education Department, the Louisiana Office of the Attorney General and the Mississippi State Education Department, OCR co-sponsored a "Safe and Healthy Schools Conference" in Baton Rouge for approximately 350 school personnel and administrators focusing on racial harassment and hate crime.

OCR also provides technical assistance to state departments of education and local school districts on reducing referrals to special education by implementing research-based reading programs. For example, in the spring of 2002, OCR sponsored a regional conference of the state directors of special education for eight states to discuss approaches to reduce the mislabeling of minority students referred for special education evaluation. OCR helped a state school board association develop a model policy for all districts in the state that addresses harassment based on race, national origin, sex, and disability. OCR is sharing the model at the request of states across the country.

In addition to these kinds of proactive initiatives, OCR responds to inquiries and requests from the public. Calls and letters requesting assistance come from other federal agencies, state agencies, local school districts, community groups, parents and students.

Strategic Priorities

The Office for Civil Rights has aligned its resources to ensure accomplishment of the goals and objectives in the No Child Left Behind Act and the Department's Strategic Plan 2002-2007. Following is a discussion and examples of OCR's activities in support of the No Child Left Behind Act, the Strategic Plan, and two high-priority commission activities.

Putting Reading First

One of the primary goals of the No Child Left Behind Act is improving the academic performance of disadvantaged students. Research has established a link between ineffective reading instruction and unusually high numbers of referrals for special education. In addition, OCR survey data have long shown that minority students in particular may be mislabeled in certain special education categories. Students inappropriately placed in special education, especially self-contained classes, do not receive a "free appropriate public education" as required by Section 504. These students often do not receive the same curriculum content as regular education students and may face barriers in their later efforts to obtain a regular high school diploma, pursue postsecondary education and prepare for employment.

A recent OCR compliance review of a school district established a correlation between minority students' sub-par reading performance and referrals for special education evaluation. OCR examined the district's teacher-student assistance team processes, record-keeping, and staff development. OCR also hired reading experts, including a member of the National Reading Panel, to evaluate the district's reading instruction in the primary grades. In discussions with the district, OCR emphasized the importance of using research-based reading and instructional materials. The district agreed to implement an action plan beginning in the 2002-2003 school year to prevent unnecessary student referrals for special education by meeting the unique educational needs of low-achieving children, children with disabilities and young children in need of reading assistance.

In cooperation with the Department's Office of Special Education and Rehabilitative Services, OCR commissioned a study by the National Academy of Sciences (NAS) that resulted in a 2002 report entitled, Minority Students in Special and Gifted

> "If we provide all children with scientifically based reading instruction delivered by well-trained teachers, many will never need special education."
>
> *Rod Paige*
> *Secretary of Education*
> *2001 Congressional Testimony*

Education. The NAS found that early identification of reading problems and research-based interventions in the early grades could substantially reduce the number of children that might otherwise be referred for special education evaluation. To assist in future compliance and technical assistance efforts in this area, OCR commissioned the NAS to produce a document—specifically designed for use by school districts—that summarizes the NAS report findings and makes practical recommendations for implementation of its findings.

Moving English Language Learners to English Proficiency

One of the key strategies in the No Child Left Behind Act and the ED Strategic Plan is to ensure that English language learner (ELL) students meet rigorous standards. OCR has been monitoring the implementation of resolution agreements from more than 200 school districts to ensure that they have a mechanism for effective program evaluation, that they are evaluating their English language acquisition programs and the performance of ELL students and former ELL students and that they are making changes as needed to meet their education goals for these students.

In 2001, OCR issued a resolution letter in a complaint alleging that a school district had denied equal education opportunities to ELL students by physically segregating them from general education classes at two schools in the district. The complaint also alleged that these students were excluded from extracurricular activities, such as assemblies and class trips. The district agreed that ELL students would not be segregated from their non-ELL peers except to the extent necessary to provide them with alternative language services. The district also agreed to provide ELL students equal opportunity to participate in extracurricular activities, to encourage their participation and to reach out to parents.

Later that same year, OCR entered into an agreement to resolve a complaint alleging that a state department of education failed to provide information in a language that parents could understand on a state-mandated test given to students. The state agreed to notify every school district in the state that the test guide was available in Spanish and provided copies to districts to distribute to Spanish-speaking parents before testing the following spring.

OCR also resolved a complaint against a large school district that alleged discrimination against ELL parents and students for failing to communicate with them in a language they can understand. In concert with OCR, the district agreed to develop general policies and procedures for providing notification to and effective communications with ELL parents, assessing language needs of ELL parents, providing school district staff training on communications with ELL parents and competent interpreters and translating written materials that are available to non-ELL parents.

Promoting Informed Parental Choice and Innovative Programs

Single Sex Education

The No Child Left Behind Act authorizes local education agencies to use Innovative Programs funds provided by the Act to support same-sex schools and classrooms. The Act also requires the Department to issue guidelines on single-sex classes and schools. OCR implemented this Congressional mandate by issuing guidelines for school districts that describe and explain which types of single-sex instruction are permissible under current regulatory requirements. OCR simultaneously issued a Notice of Intent to Regulate (NOIR) to explore the feasibility of providing additional flexibility to the Title IX implementing regulations so that educators may establish single-sex classes and schools at the elementary and secondary levels, while ensuring that recipients do not discriminate on the basis of sex. The NOIR comment period ended on July 8, 2002, and OCR is currently reviewing the approximately 170 comments received. After reviewing and assessing all of the comments received, OCR and the Department will decide if changes to the regulations are warranted.

OCR E&S Survey

The U.S. Department of Education Organization Act authorizes OCR to collect or coordinate the collection of data necessary to ensure compliance with the civil rights laws. The OCR Elementary and Secondary School Survey (E&S Survey) is a biennial collection of civil rights-related data that samples about one-third of the nation's school districts and assists in identifying potential discriminatory practices and procedures.

For the first time since 1976, OCR collected data from *all* of the nation's 14,859 school districts in its 2000-2001 E&S Survey. By posting this data on its Internet site, OCR provided information that will better inform all parents and students as they make school choices and other important educational decisions. Providing the survey data on the Internet also makes the information more readily accessible to a broad array of other OCR E&S Survey users, including policymakers at all levels of government. OCR has received OMB approval for its 2002-2003 school year E&S Survey of approximately one-third of the nation's school districts, to be sent out in early FY 2003. Consistent with the Department's Performance Based Data Management Initiative, OCR has committed to an overall goal of a 25 percent reduction of data burden by September 30, 2003.

The Office of Special Education and Rehabilitative Services, the National Center for Education Statistics (NCES), the Council of Chief State School Officers and OCR have worked to develop a new, optional data collection that allows states the option of providing data on their students with disabilities to the Department in a single data

submission. At least two states, Maryland and Wyoming, have agreed to participate in this collaborative data collection project for the 2002-2003 school year.

In the area of postsecondary education, OCR obtains information from NCES's Integrated Postsecondary Education Data System (IPEDS), which is built around a series of interrelated surveys to collect institution-level data in such areas as enrollments, program completions, faculty, staff and finances. Among other purposes, OCR used this information to develop the 2002 List of U.S. Accredited Postsecondary Minority Institutions, which was posted on the Web for use by parents and students to identify potential postsecondary options.

Information for Parents and Recipients

> "We are educating some of our children well. But educating some of our children well is not our goal. Our goal is to educate all of our children well."
>
> *Rod Paige*
> *Secretary of Education*
> *March 26, 2002*

Parents are their children's first and best teachers, and involving them in their children's education is a critical component of the No Child Left Behind Act. OCR has found that providing access to information and other resources empowers parents to become their children's advocates for a high-quality education. OCR has undertaken a number of strategies to effectively disseminate civil rights information and reach and engage parents in compliance initiatives. These include: making OCR E&S survey data available on the OCR Web site to provide parents, students, and educators with important information about local schools; conducting outreach efforts specifically focused on ELL parents; and posting OCR publications on the Web. For example, OCR recently posted a document entitled, "Protecting Students With Disabilities—Frequently Asked Questions about Section 504 and the Education of Children with Disabilities." Designed for use by parents, districts, and state agencies, its utility was confirmed by subsequent posting on the Web sites of the Wisconsin Department of Education, the Illinois State Board of Education and the Chicago Council for Disabilities.

In FYs 2001 and 2002, OCR made advances in the use of technology to deliver timely, accessible information to parents, students, teachers and education decision makers. OCR implemented an interactive, Web-based, centralized contact information system to improve access to OCR information appropriate to customer needs. Visitors to the Contact OCR page (http://www.ed.gov/ocr/contactus.html) may select a state from the pull-down menu and instantly receive mail and e-mail addresses and pertinent telephone numbers for the office with responsibility for the selected state. Addresses and phone numbers are kept current, and when necessary, such as after the dislocation of the New York enforcement office on September 11, 2001, can be quickly changed to redirect communications to another location.

Consistent with the Freedom of Information Act (FOIA), the Department of Education is making certain types of records, created on or after November 1, 1996, available electronically on the Internet. During FY 2002, OCR established an electronic E-FOIA "reading room," where recipients and the public are now able to access electronically OCR's regulations and eventually its policies and other documents. A location in the Department's library has been set aside to make available paper copies of OCR's materials.

On June 1, 2001, OCR made available to the public on the Department of Education Web site an online Discrimination Complaint Form. The form (http://www.ed.gov/ocr/complaintintro.html) allows students, parents and others who believe they have been discriminated against on the basis of race, color, national origin, sex, disability or age by recipients of financial assistance from the Department to initiate the complaint process using the Internet. Complaints filed using the online complaint form are instantly directed to the OCR enforcement office having responsibility for the complaint, and complainants receive immediate notification by e-mail that the complaint has been received. Complaints filed electronically have constituted approximately one-third of all complaints filed with OCR since May 2002, when tracking of this data began.

Transition of Students with Disabilities to Postsecondary Education

More than ever before, high school students with disabilities are planning to pursue postsecondary education, including vocational and career schools, two- and four-year colleges, and universities. The responsibilities of postsecondary schools to students with disabilities are significantly different from those of school districts. In 2002, OCR published a new pamphlet to explain the rights and responsibilities of students with disabilities who are preparing to attend postsecondary schools. The pamphlet also will be published in Spanish. Several OCR enforcement offices made presentations on this issue and hosted interactive focus group discussions for parents, students, colleges and high school guidance counselors, often collaborating with university systems, parent organizations, and state education and vocational rehabilitation agencies.

OCR undertook a state-wide initiative to facilitate the transition of students with disabilities from high school to college. Another initiative involved informing parents, teachers and counselors in an urban school district how qualified students with disabilities may seek accommodations when taking college entrance examinations.

> "My Administration is committed to removing the barriers that prevent people with disabilities from realizing their full potential and achieving their dreams."
>
> *President George W. Bush*
> *Proclamation 7579*
> *July 26, 2002*

Encouraging Safe Schools

Harassment denies students the right to an education free of discrimination and can threaten a student's physical or emotional well-being, influence how well a student does in school and make it difficult for a student to achieve his or her career goals. Also, the courts have made it clear that, where harassment is so severe, pervasive, or persistent that it interferes with benefits protected by law, it creates an illegal "hostile environment."

Racial Harassment

OCR resolved a complaint prompted by an incident in which a high school homecoming parade included two trucks, one bearing a Confederate flag and the second pulling an effigy of a headless man. The complaint alleged the incident created a racially hostile environment for African American students. After OCR initiated settlement discussions, the district agreed to take action to address any allegations of racial harassment, develop a racial harassment policy and grievance procedures, and conduct training for its employees.

> "Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."
>
> *President John F. Kennedy, 1963, in a message calling for the enactment of Title VI of the Civil Rights Act*

Another complaint resolved by OCR involved an African American student who alleged that he was removed as football team manager in retaliation for reporting an incident of alleged racial harassment. In resolving the complaint, the district offered to reinstate the student to the position.

Post-September 11 Harassment

Following the tragic events of September 11, 2001, OCR sought to prevent and respond to incidents of harassment and violence directed at students, teachers or other persons perceived to be Arab Americans or of Middle Eastern or South Asian origin. This included OCR's assistance in preparing a Dear Colleague letter that Secretary Paige sent, on September 19, 2001, to the leaders of the nation's schools, colleges and universities. The letter outlines several ways schools can prevent harassment and highlights their responsibilities under Title VI for providing students with an education free from racial or national origin discrimination.

OCR received ten complaints after September 11 alleging harassment directed at persons perceived to be Arab Americans or of Middle Eastern or South Asian origin. In addition to investigating and resolving these complaints, OCR also offered to help several universities where there had been physical assaults on Arab American and Saudi Arabian students and where Muslim students had received death threats. OCR responded to numerous requests to provide technical assistance aimed at preventing "backlash" situations and promoting a safe education environment. OCR also co-sponsored with the Department of Justice's Community Relations Service training on understanding Islam, Muslim, Arab and Sikh culture.

Sexual Harassment

OCR received a complaint alleging that a school district did not take reasonable steps to end harassment against a complainant's daughters and prevent its recurrence. Following OCR's investigation, the district agreed to investigate and issue written decisions on all complaints of sexual harassment. The district will take immediate corrective action to end the harassment and ensure it does not recur. The district also agreed to offer counseling to one of the complainant's daughters in order to assist her in overcoming any effects of sexual harassment.

In another complaint, a father alleged that, after his son became the only male participant on the cheerleading squad three years ago, he was continuously subjected to peer harassment on the basis of his sex and that school officials did little to discourage the harassment. The district agreed to enforce its sexual harassment policies and procedures in an even-handed manner for both sexes and provide sexual harassment training to students and staff.

Encouraging Accountability

In order to further improve accountability for OCR's cases, during FYs 2001 and 2002 OCR was developing a new Case Management System (CMS) that will include both case-related data and documents; it is scheduled for implementation in FY 2003. The CMS represents a new way for OCR to manage its law enforcement activities and through the use of technology incorporate new concepts and approaches in both case and document management.

In particular, the new case management function will allow all staff—investigators, attorneys, support and management—to:

- manage cases with easy network access to data;
- perform customized data queries across cases, staffs and offices;
- manage case activities, documents, contacts and records and organize and share information logically and at various levels of detail;

- customize and integrate information and produce a wide variety of routine and custom reports; and
- analyze and manage resource utilization in OCR.

The document management function will allow staff to control, organize, access and share vital information quickly, easily, and accurately. Word processing documents, spreadsheets, presentations, forms, images and e-mail messages—virtually any type of data file—can be managed with this new system. All case information and technical assistance activities will be recorded in a single, centralized database, accessible directly from users' desktops with their Internet browsers.

New Statutory Responsibility

The Boy Scouts of America Equal Access Act, part of the No Child Left Behind Act, addresses equal access to public school facilities for the Boy Scouts and other specified patriotic youth groups. To inform recipients and others of this new law and of the Department's intention to initiate the rulemaking process, OCR issued in April 2002 a Dear Colleague and a Dear Interested Party letter. The Dear Colleague letter was sent to school district superintendents, chief state school officers and education groups. The Dear Interested Party letter, which enclosed the Dear Colleague letter, was sent to the Boy Scouts of America, the Department's Equity Assistance Centers and civil rights organizations.

Secretary of Education's Commission on Opportunity in Athletics

Secretary Paige announced on June 27, 2002, the establishment of the Secretary of Education's Commission on Opportunity in Athletics, composed of representatives of athletes, educators, coaches and other interested parties. Assistant Secretary for Civil Rights Gerald Reynolds, Assistant Secretary for Postsecondary Education Sally Stroup, and General Counsel Brian Jones were *ex officio* members of the Commission, which was charged with examining and making recommendations to the secretary on whether current Title IX compliance standards should be revised to strengthen athletic opportunities and clarify the obligations of colleges and schools to ensure fairness for all athletes. The Commission held town hall meetings across the country, receiving testimony from panels of experts and members of the public. The Commission's Report with recommendations was submitted to the secretary in February 2003.

Brown v. Board of Education 50th Anniversary Commission

President Bush signed legislation on September 18, 2001, establishing a Commission to encourage and coordinate activities that will commemorate the 50th anniversary of the U.S. Supreme Court's landmark 1954 decision in *Brown v. Board of Education* declaring racially segregated schools unconstitutional. The Commission will disseminate knowledge about

the *Brown* decision through lectures, writing contests and public service announcements. Assistant Secretary for Civil Rights Gerald Reynolds and the Department of Justice's Assistant Attorney General for Civil Rights Ralph Boyd are co-chairs of the Commission. OCR is responsible for organizing and managing the Commission. In announcing the formation of the Commission, on September 6, 2002, Secretary Rod Paige linked the *Brown* decision to the comprehensive education reforms enacted under the No Child Left Behind Act.

Other Efforts to Enforce the Civil Rights Laws

OCR Regulatory and Policy Guidance

OCR strives to communicate clearly how the civil rights laws apply in particular situations to help people understand their rights and education institutions understand their obligations. Clearly articulated standards enable OCR staff to make consistent compliance determinations that are legally supportable and based on a fair and thorough analysis of information.

In addition to the regulatory and policy guidance activities discussed in the Strategic Priorities section above, during the first quarter of FY 2001, OCR amended the regulations implementing Title VI, Title IX, Section 504 and the Age Discrimination Act to conform with the 1987 Civil Rights Restoration Act's definition of "program or activity." The regulatory amendments, which became effective on December 13, 2000, clarify that OCR's jurisdiction over recipients of federal funds is institution-wide, not program specific. The Department of Education was the first federal agency to amend its regulation to conform to the Civil Rights Restoration Act.

Magnet Schools Assistance Program

The Magnet Schools Assistance program (MSAP), administered by the Department's Office of Elementary and Secondary Education, provides financial assistance to school districts that are seeking to improve educational programs and to reduce, prevent or eliminate minority group isolation. The program provides three-year grants for the enhancement or establishment of magnet schools. The Assistant Secretary for Civil Rights is required to certify the civil rights eligibility of applicants for MSAP funds and to annually review school district grantees' progress in meeting their desegregation goals. During FY 2001, OCR provided technical assistance to and certified new three-year awards for 60 school districts and reviewed the annual reports of four grantees. During FY 2002, OCR provided technical assistance, certified new three-year awards for two more school districts, and reviewed the annual reports of the 64 districts receiving MSAP assistance during the previous year.

Equal Opportunity in Vocational Education

Under OCR's *Vocational Education Programs Guidelines*, state vocational education agencies are responsible for conducting civil rights reviews and other compliance activities with their sub-recipient schools and programs and reporting to OCR about these activities. State vocational education agency reports are submitted biennially to OCR. Most of the reviews conducted by state agencies in 2001 and 2002 resulted in recommendations for improving student access to vocational programs on the basis of race, national origin, sex or disability. OCR responded to the state agency reports by providing constructive suggestions for enhancing the effectiveness of the agencies' compliance and enforcement activities.

In both 2001 and 2002, OCR, in conjunction with state agencies, presented training conferences for state agency civil rights staff. These conferences provided in-depth training on the procedures and techniques state agencies should use in conducting their civil rights compliance reviews and reporting to OCR. Training also was provided about legal standards and investigating techniques applicable to a variety of complex civil rights issues. Participants later reported that the workshops provided valuable tools and information, as well as contacts, to enhance the effectiveness of their civil rights compliance and enforcement programs.

Higher Education Agreements

Nineteen states previously operated racially segregated higher education systems. In *United States v. Fordice*, the U.S. Supreme Court set out standards for determining whether such states have met their affirmative duty to dismantle those systems and their vestiges under the Fourteenth Amendment to the U.S. Constitution and Title VI. In FYs 2001 and 2002, OCR resolved its investigations of the higher education systems of Maryland and Virginia.

The agreement with Maryland calls for the continued enhancement of its four historically black institutions and measures to encourage enrollment, retention and graduation of African American students at the traditionally white institutions. A cornerstone of the agreement is the avoidance of unnecessary program duplication, a particular challenge because of the close proximity of Maryland's historically black and traditionally white institutions. The agreement contains an initiative to prepare teachers to teach students from diverse backgrounds. It also calls for Maryland stakeholders to improve education on the elementary and secondary levels, including the development of strategies to make students aware of college possibilities at the earliest levels of their education.

The agreement with Virginia strengthens Virginia State University and Norfolk State University, the state's historically black institutions. Twelve new academic programs will be added at Virginia State and Norfolk State. These include a doctoral program in

Educational Administration and master's degree programs in Electronic Engineering, Optical Engineering, Computer Science and Criminal Justice. The agreement also provides for the financing of several capital projects at these institutions, including building renovations, additional computer networks and campus-wide internet access.

In addition to Maryland and Virginia, OCR continues to monitor the implementation of its higher education agreements with five other states, including Florida, Kentucky, Ohio, Texas and Pennsylvania.

Examples of OCR Case Resolutions

It is important to understand the profound influence OCR's enforcement program is having on the lives of people, at all education levels, across the country. Below are some examples.

Removing Categorical Exclusion of Students with Disabilities

Students with disabilities must not be discriminated against in the provision of opportunity to participate in academic and extracurricular activities. OCR resolved several cases where students were denied opportunities solely based on their disabilities. For example, a policy of a school district denied students with disabilities the opportunity to take college preparatory courses. Instead, the district counseled the students to take technology career courses. School officials entered into an agreement with OCR requiring that all education decisions for students with disabilities, including courses of study, be conducted through the district's individualized education program process.

> "This letter is long overdue. It has been about 10 years but I say never too late. My son and his brother both needed brain surgery at the same time and they were denied [educational] services [by school district] ... Thanks to OCR intervention my boys received the services they needed. [Son] knows what it is like to be pushed aside because of limitations. But he also knows what it is like to have intervention from those that care. We all thank you for your caring and efforts. It is a very difficult thing not to understand your rights and to fall through the cracks."
>
> *September 16, 2002, e-mail message from parent whose complaint was resolved by OCR ten years ago.*

A student who uses a wheelchair was informed that he could not take a weight training class at a college because there was no equipment to accommodate him. After a complaint was filed with OCR on behalf of the student, the college agreed to purchase the equipment, train all weight room staff and assist the student in using the equipment. Disabled students were not permitted by a school district to participate in computer classes that provided reading and math enhancement instruction. Also, they were categorically excluded from receiving a "Student of the Month" award. Under an

agreement negotiated with OCR, the district agreed to permit students with disabilities to enroll in the enhancement classes. Further, the district agreed to change the criteria to ensure that students with disabilities are eligible to receive the award.

A parent was told that her child could not go on a grade school camping trip because of his disability. The parent turned to OCR for help. After OCR's investigation, the district agreed to permit students with disabilities to participate in extracurricular activities to the maximum extent appropriate to their needs. Further, these considerations are to be documented in students' individualized education programs.

In another complaint, OCR found that school yearbooks separated students with disabilities from their classmates. The same practice occurred at school assemblies. As a result of its resolution agreement, the district issued a directive prohibiting the segregation of students with disabilities in all school publications and at general assemblies.

Eliminating Shortened School Day for Students with Disabilities

Transportation scheduling at an elementary school resulted in a shorter school day for special education students over a four-year period. After the complaint filed with OCR was brought to its attention, the district agreed to provide identical school day schedules for all students, unless exceptions are specifically stated in a student's individualized education program. Under its resolution agreement, the district will offer a supplemental special education class for students who were affected by the previous early dismissal policy.

Providing Educational Support Services for Students with Disabilities

One of OCR's enforcement offices received a complaint from a parent alleging that a school district was not providing instructional services required in her daughter's individualized education program. After being contacted by OCR, the school placed the student in a school setting that provides the necessary educational support services. In a letter of appreciation to OCR, the parent enclosed a copy of the student's honor roll certificate and stated that the new services made it possible for the student to go from "D" grades to the honor roll.

Making Testing Accommodations for Students with Disabilities

A high school student with severe disabilities who had successfully completed all of her required course work was prevented from demonstrating her achievement of academic standards on the state graduation examination. The student has limited motor abilities and can communicate only through eye motion. The state, school district and OCR reached an accord to allow the student to take the same test as all other high school seniors using "Dyna Vox," an augmentative communication device, and having an

assistant record her responses. This accommodation would not have invalidated the test result. The student also was allowed to retake the test as often as students without disabilities. However, with the necessary accommodation, the student passed the state test on her first try and was awarded a high school diploma, rather than a certificate of attendance.

Providing Auxiliary Aids for Students with Disabilities

A biomedical engineering student alleged that a university failed to provide auxiliary aids and services needed for her hearing impairment. The university resolved the complaint by agreeing to provide computer-assisted and real-time captioning for those classes for which she needed services. The university also agreed to reimburse the student $13,000 in expenses that she had incurred to obtain these services before filing a complaint with OCR.

Making Academic Adjustments for Students with Disabilities

A graduate student with Chronic Fatigue Syndrome alleged that a university denied his request for academic adjustments. While investigating the complaint, OCR began discussions with school officials. The student was granted a number of academic adjustments. These included a reduced course load, extension of due dates for assignments, rescheduling of examinations when necessary, and priority registration.

Providing Students with Visual Impairments Access to Quality Textbooks

A complaint against a state department of education alleged that adapted textbooks and other scholastic materials for students with visual impairments were of poor quality and habitually delivered to school districts after the beginning of classes. After OCR's investigation, the state department of education made comprehensive commitments to ensure that visually impaired students have timely access to high-quality textbooks. For example, it will establish a quality assurance system to monitor the quality of adapted textbooks and the processes used by other states, the American Federation of the Blind, and the American Printing House for the Blind in providing high-quality modified textbooks. Also, the state department of education will work with the state attorney general and the state board of education to amend the textbook contract to require materials in electronic versions. If necessary, the state will produce the textbooks to ensure that materials are delivered on time. The agreement covers textbooks printed in Braille, large print and audiotape.

Making Programs Accessible to Students with Disabilities

An individual with a disability may not be excluded from an educational program because an institution's facilities are inaccessible or unusable by individuals with disabilities. OCR investigated a complaint from a mother of a mobility-impaired high school student. She indicated that many days her son came home in tears because of problems with the school's restroom facilities. She also witnessed his pain in not being able to use playground equipment while in grade school. Following OCR's investigation, the district made modifications to the high school restrooms and addressed accessibility issues found in computer and home economics classes, libraries and gymnasiums at its 16 schools. The district also will modify school playgrounds to ensure that the range of activities available to students with disabilities is equivalent to that available to students without disabilities.

Disciplining Students Without Regard to Race or National Origin

OCR investigated a complaint by a parent that African American students at a vocational education center were disciplined under the center's gang-related policy for wearing red clothing. The parent also alleged that her son was subjected to a visit and search by local police. White students who wore red clothing were not subject to such treatment. The center agreed to apply its policy on gangs in an even-handed manner to all students. This included documenting warnings given to students believed to be in violation of the apparel provision of its policy and implementing a tracking system to monitor these warnings. Also, the center will provide in-service training on racial profiling and ways to prevent selective enforcement of its gang-related policy.

Eliminating Support for Organizations with Racially Exclusionary Policies

OCR found that white students were excluded from participating in events sponsored by some outside organizations that were held in a school district's facilities. The district made commitments aimed at ensuring that events held in school facilities are open to all persons regardless of race, color or national origin. The district agreed to review the charters of organizations that receive district support to ensure there are no exclusionary provisions based on a student's racial or ethnic status. Also, the district will review materials such organizations wish to distribute to students to make sure they are aimed at reaching all students.

Providing Equal Educational Opportunities to Pregnant Students

A school system may not discriminate against any student on the basis of pregnancy, childbirth or conditions associated with pregnancy. A parent alleged that a school district discriminated against her daughter by subjecting her to different treatment in providing homebound services because of her pregnancy. The concerns related to the quality of tutors and amount of instructional time. Under its agreement, the district will

use only certified staff for its homebound program. In addition, the district will develop objective criteria to provide consistent, minimum amounts of time for instructional services in the homebound program.

Enforcement Action

In the past two years, OCR filed an administrative enforcement action against one recipient of federal financial assistance. A Notice of Opportunity for Hearing to terminate federal financial assistance was issued to a school district for refusing to provide transportation to and from extracurricular activities for elementary school students with disabilities. After a two-day hearing before an Administrative Law Judge (ALJ), the district submitted a settlement agreement to OCR in which the district agreed to revise its individualized education program (IEP) form to ensure that a student's participation in extracurricular activities is considered at the IEP committee meeting. In addition, the district made a commitment to provide transportation for all students with disabilities who have extracurricular activities listed on the IEPs as part of their appropriate education programs. The case was dismissed by the ALJ, based upon OCR's motion, on April 30, 2001. OCR completed monitoring of the case on June 4, 2002, after determining that the district met all of the commitments of the settlement agreement.

Measuring OCR's Work

OCR's current performance indicators measure timeliness of case processing and program outputs, such as percentages of OCR-directed technical assistance and resource materials for recipients and parents. These indicators address only a portion of OCR's enforcement activities, and we are collecting data and working to develop additional indicators to reflect more fully the work that we do.

OMB and Congress have each recognized our indicator on case processing—that 80 percent of our complaints are to be resolved within 180 days—as a very useful measure of the efficiency and effectiveness of our complaint resolution process. Timeliness is critical to students and parents in the resolution of civil rights issues and is an indicator of positive case outcomes. In FY 2001, OCR resolved 84 percent of its complaints within 180 days, as compared to FY 2000 when 78 percent were resolved within the 180-day timeframe. In FY 2002, 89 percent of complaints were resolved within 180 days, one of the highest annual complaint resolution rates since OCR began tracking this data in the 1970s.

To find additional ways to measure OCR's performance, OCR has created a section of the new Case Management System (CMS) to collect available outcome information once case monitoring is complete. For example, school districts are required to provide an English language acquisition program for limited English proficient (LEP) students and to periodically evaluate the effectiveness of the programs. To do so, districts often look at, among other things, achievement scores for former LEP students, the percentage of students exiting from the programs annually with proficiency in English, achievement scores for students enrolled in the program and who have exited, drop out rates and high school graduation rates. This outcome information is the type of information that will be available when the CMS is fully operational.

The CMS is scheduled to be operational in 2003. Once the system is well populated, we will be in a position to develop other measures of OCR's effectiveness in addition to those measures of timeliness of case processing and provision of technical assistance already in place.

Looking to the Future

The Office for Civil Rights is a law enforcement agency with primary responsibility to ensure that institutions receiving federal financial assistance are in compliance with the civil rights laws. In addition to its core enforcement activities, all of OCR's short- and long-term priorities focus on accountability for results when agency resources are expended. OCR is committed to implementing the goals, objectives and legal requirements of the No Child Left Behind Act, the President's Management Agenda, the Culture of Accountability Team Report, and the Department of Education's *Strategic Plan 2002-2007*.

OCR must ensure fair and vigorous law enforcement and leverage its capacity to provide uniform compliance information nationwide. OCR is expected to consistently enforce the law nationwide and narrowly tailor agreements to settle violations established through OCR's investigations. As a threshold matter, OCR must determine whether there are legally sufficient grounds for entering into resolution agreements.

> "Tremendous advancements have been made in the fight for equality. But we must remain diligent in enforcing our Nation's laws. And we still have work to do in this area."
>
> President George W. Bush
> Proclamation 7458
> August 24, 2001

Assistant Secretary for Civil Rights Gerald Reynolds is continuing to meet with OCR staff nationwide to address issues of employee accountability, encompassing management's accountability to staff and staff's accountability to the organization. He also established a seminar series to ensure that OCR and Department staff nationwide are informed on the most challenging civil rights issues in a timely manner. During FY 2002, he brought national experts in to address staff on such issues as single-sex education and civil rights issues involving persons who are hearing-impaired.

OCR looks forward to the challenges ahead.

Endnotes

[1] U.S. Department of Education, National Center for Education Statistics (2003). *Digest of Education Statistics 2002* (NCES-2003060), Washington, D.C.: Author, Table 89, p. 98.

[2] Ibid, Table 5, p. 14.

[3] Ibid, Table 5, p. 14.

[4] Ibid, Table 3, p. 12.

Appendix A: FYs 2001 and 2002 Complaint Receipts by OCR Enforcement Offices

FYs 2001 and 2002 Complaint Receipts by OCR Enforcement Offices

2001

	National	Boston	New York	Philadelphia	District of Columbia	Atlanta	Dallas	Chicago	Cleveland	Kansas City	Denver	San Francisco	Seattle
Race/NO	850	36	50	55	49	147	107	88	35	62	59	104	58
Sex	313	25	16	22	10	47	49	25	18	20	29	34	18
Disability	2462	229	144	217	101	321	282	189	170	182	114	326	187
Age	48	2	3	3	6	4	3	6	3	3	4	6	5
Multiple	599	46	38	60	33	54	48	62	26	40	52	84	56
Other	299	4	44	40	14	33	40	14	15	9	21	51	14
Total	4571	342	295	397	213	606	529	384	267	316	279	605	338

2002

	National	Boston	New York	Philadelphia	District of Columbia	Atlanta	Dallas	Chicago	Cleveland	Kansas City	Denver	San Francisco	Seattle
Race/NO	885	44	23	70	63	148	109	81	44	91	65	94	53
Sex	353	24	15	34	15	47	44	38	22	33	20	36	25
Disability	2701	198	108	261	120	357	355	251	185	176	173	333	184
Age	75	6	8	9	4	6	11	8	4	4	6	9	0
Multiple	620	62	24	56	36	50	57	63	26	46	54	94	52
Other	385	11	26	46	23	47	57	18	14	22	13	98	10
Total	5019	345	204	476	261	655	633	459	295	372	331	664	324

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Appendix B: Offices and Addresses

Office for Civil Rights
U.S. Department of Education

400 Maryland Avenue, SW, Washington, DC 20202-1100
Customer Service #: (800) 421-3481 ♦ TDD#: (877) 521-2172 ♦ http://www.ed.gov/ocr

Eastern Division

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Office for Civil Rights, *Boston Office*
U.S. Department of Education
J. W. McCormack POCH, Room 701
Boston, MA 02109-4557
Telephone: (617) 223-9662; Facsimile: (617) 223-9669
TDD: (617) 223-9695; Email: OCR.Boston@ed.gov

New Jersey, New York, Puerto Rico, Virgin Islands
Office for Civil Rights, *New York Office*
U. S. Department of Education
75 Park Place, 14th Floor
New York, NY 10007-2146
Telephone: (212) 637-6466; Facsimile: (212) 264-3803
TDD: (212) 637-0478; Email: OCR.NewYork@ed.gov

Delaware, Maryland, Kentucky, Pennsylvania, West Virginia
Office for Civil Rights, *Philadelphia Office*
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107
Telephone: (215) 656-8541; Facsimile: (215) 656-8605
TDD: (215) 656-8604; Email: OCR.Philadelphia@ed.gov

Southern Division

Alabama, Florida, Georgia, South Carolina, Tennessee
Office for Civil Rights, *Atlanta Office*
U.S. Department of Education
61 Forsyth Street S.W., Suite 19T70
Atlanta, GA 30303-3104
Telephone: (404) 562-6350; Facsimile: (404) 562-6455
TDD: (404) 331-7236; Email: OCR.Atlanta@ed.gov

Arkansas, Louisiana, Mississippi, Oklahoma, Texas
Office for Civil Rights, *Dallas Office*
U.S. Department of Education
1999 Bryan Street, Suite 2600
Dallas, TX 75201
Telephone: (214) 880-2459; Facsimile: (214) 880-3082
TDD: (214) 880-2456; Email: OCR.Dallas@ed.gov

North Carolina, Virginia, Washington, DC
Office for Civil Rights, *District of Columbia Office*
U.S. Department of Education
1100 Pennsylvania Avenue, N.W., Suite 316
Washington, DC 20044-4620
Telephone: (202) 208-2545; Facsimile: (202) 208-7797
TDD: (202) 208-7741; Email: OCR.DC@ed.gov

Midwestern Division

Illinois, Indiana, Minnesota, Wisconsin
Office for Civil Rights, *Chicago Office*
U.S. Department of Education
111 North Canal Street, Suite 1053
Chicago, IL 60606-7204
Telephone: (312) 886-8434; Facsimile: (312) 353-4888
TDD: (312) 353-2540; Email: OCR.Chicago@ed.gov

Michigan, Ohio
Office for Civil Rights, *Cleveland Office*
U.S. Department of Education
Bank One Center, Suite 750
600 Superior Avenue East
Cleveland, OH 44114-2611
Telephone: (216) 522-4970; Facsimile: (216) 522-2573
TDD: (216) 522-4944; Email: OCR.Cleveland@ed.gov

Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota
Office for Civil Rights, *Kansas City Office*
U.S. Department of Education
8930 Ward Parkway, Suite 2037
Kansas City, MO 64114
Telephone: (816) 268-0550; Facsimile: (816) 823-1404
TDD: (800) 437-0833; Email: OCR.KansasCity@ed.gov

Western Division

Arizona, Colorado, Montana, New Mexico, Utah, Wyoming
Office for Civil Rights, *Denver Office*
U.S. Department of Education
Federal Building, Suite 310
1244 Speer Boulevard
Denver, CO 80204-3582
Telephone: (303) 844-5695; Facsimile: (303) 844-4303
TDD: (303) 844-3417; Email: OCR.Denver@ed.gov

California
Office for Civil Rights, *San Francisco Office*
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